

FILED

JAN 27 2016

CLERK, U.S. DISTRICT CLERK  
WESTERN DISTRICT OF TEXAS  
BY A. Hamilton DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

VASCULAR SOLUTIONS, INC., (1) and,  
HOWARD ROOT, (2)  
Defendants.

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Case No. SA-14-CR-926-RCL

**ORDER**

Upon consideration of defendants Vascular Solutions, Inc. and Howard Root's Motion [162] in limine to exclude trial testimony and prior statements of tainted witness, the opposition [181] and reply [191] thereto, and the record herein, defendants' Motion [162] is **DENIED**. It is further

**ORDERED** that the government may introduce the trial testimony of Elizabeth Matthews, Shane Carlson, Fred Reuning, and Anthony Paszkeicz. The Court agrees with the United States that any evidence of improper influence on the witnesses' testimony may affect the credibility of the witnesses, but the witnesses' testimony is admissible so long as the witness professes personal knowledge. The Court will not pre-screen the testimony of witnesses to ensure personal knowledge, nor place limitations on opening statements as to what evidence government counsel expects to be able to produce at trial. Defendants have cited no case in which any court has ever granted such an unprecedented request.

It is **SO ORDERED**.

Dated: 1/27/16

Royce C. Lamberth  
ROYCE C. LAMBERTH  
United States District Judge